

# 91st Illinois General Assembly Senate Transcript

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STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

89th Legislative Day

March 24, 2000

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 91st General Assembly will come to order. Will the Members please be at their desks? And will our guests in the gallery please rise? Our prayer today will be given by the Reverend William Burton, Jerome United Methodist Church, Springfield. Reverend Burton.

THE REVEREND WILLIAM BURTON:

(Prayer by the Reverend William Burton)

PRESIDING OFFICER: (SENATOR WEAVER)

Please remain standing for the Pledge of Allegiance. Senator Sieben. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Wednesday, March the 22nd, 2000.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers moves to approve the Journal just read. There being no objection, it is so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Thursday, March 23rd, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers moves to postpone the reading and approval of

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the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 665, 3169, 3428, 3485, 3990 and 3995, all Do Pass.

Senator Klemm, Chair of the Committee on Executive, reports House Bills 2909, 3621, 3640, 3699, 3872, 3873, 3875, 3876, 3939, 4182, 4369, 4374, 4450, 4587 and 4588, all Do Pass; House Bill

3256 Do Pass, as Amended; Senate Joint Resolution, Constitutional Amendment, No. 18 Be Adopted; and House Joint Resolution 40 Be Adopted, as Amended.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bills 3046 and 3926 Do Pass.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bill 3037 Do Pass; and House Bills 2980 and 3260 Do Pass, as Amended.

And Senator O'Malley, Chair of the Committee on Financial Institutions, reports House Bill 3944 Do Pass.

PRESIDING OFFICER: (SENATOR WEAVER)

Message from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1567, together with House Amendment No. 1  
Passed the House, as amended, March 23rd, 2000.

We have a like Message on Senate Bill 1704, with House Amendment No. 1.

Also passed the House, as amended, March the 23rd, 2000.

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Resolutions.

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SECRETARY HARRY:

Senate Resolution 329, by Senator Halvorson and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 329 {sic} (330), offered by Senator Rauschenberger.

And Senate Joint Resolution 64, by Senator Rauschenberger.

They're both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the Body's attention, we are going to go to the top of page 9, House Bills 2nd Reading. We will go through the Calendar of 2nd Readings. So if you could be in your seat. First Senators up will be Senator Philip, Senator Watson, Senator Dillard. So if you could be in your seats, please, we will proceed. We will start with Senator Dillard. Senator Dillard, on House Bill 2110. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2110.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Judy Myers, on 2346. Out of the record. Senator Dudycz, on House Bill 2870. Out of the record. Senator Robert Madigan, on Senate Bill -- or, excuse me, House Bill 2904.

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Out of the record. Senator Burzynski, on House Bill 2917. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2917.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpiel. Out of the record. Senator Dudycz. Senator Larry Walsh, on House Bill 3176. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3176.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. We'll go down to Senator Thomas Walsh on House Bill 3420. Thomas Walsh. Oh. Senator Petka, we'll go back to House Bill 3406. I didn't see you in your seat, sir. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3406.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on House Bill 3420. Thomas Walsh. Out of the record. Senator Thomas Walsh, on 3431.

Senator Walsh. Out of the record. Senator Noland, on House Bill 3476. Out of the record. Leave was previously granted for Senator Larry Walsh to handle House Bill 3859. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3859.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Shadid, on House Bill 3936. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3936.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz. Senator Burzynski, on House Bill 3993. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3993.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Judith Myers, on House Bill 4352. Out of the record. Senator Sullivan, on House Bill 4466. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 4466.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Whoops. We'll have leave to come back to House Bill 4481. Senator Geo-Karis, on House Bill 4482. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4482.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Again, for the Membership's information, we are going to proceed to House Bills 3rd Reading. So if you check your Calendars, please be ready, if you are willing -- wishing to call your bill. Senator Radogno, on House Bill 182, do you wish to



recall this bill to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 182. Madam Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno, on Amendment No. 2.

SENATOR RADOGNO:

Thank you, Madam President. Amendment No. 2 requires the Department of Public Aid and Department of Public Health to come up with rules to ensure that patients -- mentally ill patients in nursing homes receive appropriate treatment. It also makes the effective date immediate.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Radogno -- is there any discussion? Is there any discussion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Rauschenberger, on House Bill 390. Out of the record. Senator Radogno, on House Bill 477. Out of the record. Senator Radogno, on House Bill 478. Out of the record. Senator Noland, on House Bill 486. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 486.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

Thank you. House Bill 486 creates the Post Transplant Maintenance and Retention Fund, and it requires the Department of Public Health to establish and administer a program to pay for post transplant medication for Illinois citizens, those with incomes up to four hundred percent of the -- the federal poverty level and when the costs are not otherwise covered. It -- this really addresses a problem many people have who -- Medicaid will pay for a transplant, but they don't have the -- the funds to pay for the antirejection medications that are responsible to keep that organ functioning. So we're hoping to create a fund to help people pay for the cost of antirejection medications following a transplant.

PRESIDING OFFICER: (SENATOR DONAHUE)

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ACTING SECRETARY HAWKER:

House Bill 2261...

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Syverson, on House Bill 2574. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2574.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 2574 is technical clean-up language on the triplicate legislation that was passed last year. Be happy to answer any questions; otherwise, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

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none, the question is, shall House Bill 2574 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2574, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 2580. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill -- or, House Bill 2580 indicates that all public universities must provide for public comment at their regular meetings of their board of trustees. Currently, that is not the situation, and I know of no opposition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2580 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2580, having received the required constitutional majority, is declared passed. Senator Dudycz, on House Bill 2883. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2883.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you -- thank you, Madam President. House Bill 2883 amends the Vehicle Code requiring the clerk -- requiring the clerk of the court to notify the Secretary of State's Office when court supervision is granted for certain traffic offenses. This proposal was a result of Secretary of State Jesse White's Highway Safety 2000 advisory panel. The panel was established after some high-profile traffic accidents and the scandal involving the selling of commercial driver's licenses. Under current law, with certain exception, traffic offenders are eligible for court supervision and supervision can be granted if the judge is of the -- of the opinion that the offender is not likely to commit further crimes, the offender and the public would best be served if the defendant were not to be -- to receive a criminal record, and in the best interest of justice an order of supervision is more appropriate than a sentence otherwise permitted under the law. What this would do is that this would have the Secretary of State's Office as a repository of all supervisions and all the courts would be able to have access to such records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any questions? Are there any questions? Seeing none, the question is, shall House Bill 2883 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who

wish? Take the record. On that question, there are -- 55 Ayes, 1 Nay, none voting Present. House Bill 2883, having received the required constitutional majority, is declared passed. Senator Noland, on House Bill 2885. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2885.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

Thank you. The State of Illinois has a very popular centennial farm program to honor families who've held a farm in their family for over one hundred years. This would expand that to create a sesquicentennial farm for those farms that've been in the family for one hundred and fifty years. In Senator Bomke's district will be the -- the Farm Progress Show of 2000, and the George Powers farm, here in northern Sangamon County, would qualify for that designation. And we'd like to pass this bill and promote that farm with a media day for the Farm Progress Show this

-- this coming fall. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2885 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2885, having received the required constitutional majority, is declared passed. Keep our voices down and take our conferences off the Floor. We are on 3rd Reading, which is final passage in some cases. Senator Parker, on House Bill 3119. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3119.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

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SENATOR PARKER:

Thank you, Madam President. House Bill 3119 amends the Good



Samaritan Food Donor Act to exempt from civil liability donors of day-old bread to charities. It passed unanimously out of here over to the House, and it has been amended only to tighten up on the definition so that day-old bread does not include items or products that were previously sold or served. I would answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3119 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3119, having received the required constitutional majority, is declared passed. Senator Sieben, on House Bill 3131. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3131.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This legislation amends -- amends the Township Code...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Sieben. It hurts my ears, too. Let's get our conferences off the Floors, and keep our voices down. The sooner we get through this, the sooner you can go home. Senator

Sieben.

SENATOR SIEBEN:

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Thank you, Madam President. This legislation would allow the township board in any township in a county with a population of six hundred thousand or less to establish a plan commission. That's all it does. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3131 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3131, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on House Bill 3188. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3188.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this bill amends the Township Code relating to township open space bonds, and provides that the -- the amount of bonds to be issued to be -- shall be set forth in the referendum question as a dollar amount, not as a percentage, and provides that the total amount of bonds to be issued may not exceed five percent of the valuation of all taxable property. I move for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3188 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

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the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3188, having received the required constitutional majority, is declared passed. Senator Dudycz. Out of the record. Senator Clayborne, on House Bill 3293. Out of the record. Senator Sullivan, on House Bill 3455. Senator Sullivan. Out of the record. Senator Sieben, on House Bill 3558. Senator

Sieben. 3558? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation amends the Abandoned Mines Land {sic} (Mined Lands) and Water Reclamation Act to extend from August 31st of -- 1999 to August 31st of 2001 a two-year extension on the deadline to obligate expenditures of money in the non-coal mined land reclamation project. There's approximately twenty-six thousand dollars left in that fund they want to expend to do some work on an abandoned mine in Galena, Illinois, in my district, and that's why we're asking for an extension of that date. Know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. The -- Senator Sieben, the

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synopsis here also says that it does change the maximum amount the Department may spend on these projects. Is there a -- it says that it can change the maximum amount spent on the projects. Do you know if there's -- they're increasing from that twenty-six thousand upwards, or...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

I don't believe so. That -- this fund they thought they had expended all the funds in it. There's twenty-six thousand remaining that have been unexpended. This is a project that they would like to do, and it would clean up the fund, and then it's -- it's done. It sunsets.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Sieben, to close.

SENATOR SIEBEN:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Question is, shall House Bill 3558 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no

Nays, none voting Present. House Bill 3558, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 3840. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

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SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 3840 is an effort to address some of the issues with regard to local school councils in Chicago. It provides that a person who's been convicted of certain offenses is ineligible for election to a local school council. That's the same requirement that we have -- the background check investigations that we have for school districts' employees. Now they'll be used for local school council members, as well. It also adds that a local school council's evaluation of a principal's performance shall be made no later than a hundred and

fifty days prior to the expiration of the current performance-based contract. I ask for your favorable consideration on this measure.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Cronin, who pays for these background checks on these individuals, or are there background checks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

The great City of Chicago.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Do you know if there's a -- is there a cost estimate connected to this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

I'm not aware of it, but the Chicago Board of Education is in the business of engaging in background checks for all of their hundreds and hundreds of employees and so it was our belief that this was an appropriate extension or expansion of that -- of that effort.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the -- would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Currently, are school board members elected throughout the State subject to criminal background checks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

I don't think so.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Another question. Did -- to the best of your knowledge, are other statewide elected officials or legislators subject to criminal background checks?



PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Well, maybe they should be, but the City of Chicago and the Chicago Board of Education has asked for this, and it seemed like

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a reasonable request.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. And -- and I certainly respect the sponsor and the idea. I just wonder if we're setting a precedent that we may not like the results of later.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall House Bill 3840 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 1 voting Present. House Bill 3840, having received the required constitutional majority, is declared passed. Senator

Robert Madigan. Out of the record. Senator Parker, on House Bill 4043. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President. House Bill 4043 increases the fines imposed by the local liquor control commission for violation of the Liquor Control Act. The first violation not to exceed a thousand dollars, which is the same as the current law. The second not to exceed fifteen hundred, which is increased then. And the third not to exceed twenty-five hundred dollars, and not more than fifteen thousand dollars in fines shall be imposed each year. However, the current law states ten thousand. So that is

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an increase to fifteen thousand. I would ask -- answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just wanted to slow down here for a moment. As -- as I understand what we're doing here, and I think I was in committee where this bill was heard, we are increasing the fines for local liquor commissioner or the State commission that can impose on a licensee for violation of the Act and we're taking the fines from a thousand -- the fines are a thousand dollars for the first violation, fifteen hundred for the second, twenty-five hundred for the third, maximum of fifteen thousand. Are those the new fines that we are imposing, and -- and if we are, what are the old fines?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Those are the new fines we're imposing. Presently, the aggregate increase can only be -- the aggregate for one year can only be a total of ten thousand dollars. We are increasing it to fifteen thousand dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

What's the -- what's the fine for a first violation, now, within a twelve-month period?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The first violation is a thousand dollars, and this says the

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first offense will be a thousand dollars. The second violation would be increased now to -- could be fifteen hundred dollars, and the third or subsequent violations could be as much as twenty-five hundred dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, the question is, shall House Bill 4043 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. House Bill 4043, having received the required constitutional majority, is declared passed. Senator Demuzio, on House Bill 4092. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4092.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much. A number of us in here have commission form of government, and as a consequence, some of these smaller counties where you have, like, three commissioners, it gets very difficult when we talk about them being on the board of review. And so, therefore, this bill, in commission counties, would allow the county commissioners that pass a required exam to continue serving on the appointed board of review. Now, when one commissioner fails the exam, a new board of review, in its entirety, must be appointed. This will afford them the opportunity to remain there and allow them to appoint someone outside of the -- the commissioner himself, if he, in fact, cannot pass the exam. I don't know of any opposition. It passed out of

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the committee unanimously.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 4092 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 4092, having received the required

constitutional majority, is declared passed. Senator Myers, for what purpose do you seek recognition?

SENATOR MYERS:

Thank you, Madam President. I'd like to introduce to the Senate some fine students from one -- the university in my district, Eastern Illinois University, if I may.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will they please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Dudycz, on House Bill 4138. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4138.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Bill 4138 authorizes circuit court clerks to accept debit cards for payments for fines, penalties, fees or other costs in the office of circuit court clerk. Currently, they are only authorized to accept cash, check or credit card. This legislation will give them the authority to accept debit cards.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 4138 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 4138, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 4266. Senator Cronin. Out of the record. Senator Robert Madigan. Out of the record. Senator Silverstein, on House Bill 4348. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This amends the Family and -- Children and Family Services Act to provide a record of confidentiality. It also provides that DCFS shall determine that a -- a report of abuse of a -- of a child that is neglected which is unfounded, a guardian ad litem may file a report within ten days. And it also requires that DCFS, the multidisciplinary review committee, make public its

report to the General Assembly each year. I ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

I would just like the sponsor's opinion, as a learned attorney, whether there's a single-subject question in this bill. I know we -- maybe people on that side of the aisle have a better relationship with the Supreme Court, but we wouldn't want to give the Supreme Court any unrealistic -- oh. I've been reliably informed that the single-subject question's been dealt with?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. A very learned -- learned individual on your side of the aisle, who is also running for Supreme Court, brought that to my



attention and we amended the bill so there is no single-subject rule -- providing.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, the question is, shall House Bill 4348 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 4348, having received the required constitutional majority, is declared passed. With leave of the Body, we will go back to House Bill 4266. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4266.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the

Senate. This bill is the bill that was negotiated after many, many hours and much work by a lot of different people in the adult education community. And I'm pleased to announce to you that this is the result of all that work, and it's an agreement. All the various groups and entities are in support of this measure. This does amend the sections of the School Code, the Adult Ed Act, the Adult Education Reporting Act. It transfers all powers and duties of the State Board of Education and the State Superintendent of Education regarding classes for adult and youth whose schooling has been interrupted -- under related grants and contracts, under the Adult Ed Act to the Illinois Community College Board. On and after July 1, 2001, it allows the Illinois Community College Board to enter into contracts with eligible providers; accept federal funds for adult education and adult literacy; administer a network of providers, programs and services to provide adult basic education, adult secondary education, English as a second language, and other instruction. It also provides and allows the supervision of the administration of adult education and adult literacy programs. I'd be happy to answer questions. There are a series of questions that I would like to entertain and answers to provide for purposes of legislative intent. And Senator del Valle, I understand, will pose certain questions. Thank you very much, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Thank -- thank you, Madam President. I -- I have questions only related to the participation of community-based organizations and these are for legislative intent. I understand that there's a

series of other questions that other Members will -- will raise.  
So for legislative intent, does House Bill 4266 establish  
community-based organizations as eligible providers of adult

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education and literacy programs and services in Illinois?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. This bill specifically identifies community-based organizations as eligible providers of State and federal adult education and literacy programs and services, along with local educational agencies, volunteer literacy organizations, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities. This eligibility is consistent with the federal Workforce Investment Act.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Will the adult education and literacy advisory committee, called for by the bill, include membership by community-based

organizations that provide adult education and literacy programs and services?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. House Bill 4266 establishes an advisory council consisting of all categories of eligible providers, including community-based organizations, to advise the Illinois -- Illinois Community College Board on adult education policy and priorities.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Will this legislation open eligibility to receive State adult ed and literacy funds to community-based organizations which currently are only eligible to receive federal funds?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. House Bill 4266 extends the opportunity to receive State General Revenue funds for adult education and literacy to

community-based organizations through the same process and criteria of effectiveness required of all other eligible providers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

And the last question: Will the transfer of administrative authority for adult ed and literacy to the Illinois Community College Board result in the availability of more data on adult education and literacy needs and services in Illinois, especially in the area of English as a Second Language for immigrants coming to Illinois to live and work?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. The Illinois Community College Board will be required by House Bill 4266 and the federal Workforce Investment Act to collect data on ESL and all adult education and literacy programs and services. The need for more high-quality ESL instruction by individuals and by employers for their employees is a priority of the Board and will be a focus of research and service that will be reported to the General Assembly and the public.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you. If the Senator would yield, I have a number, also, of questions to ask for -- for legislative intent. First

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question being, does the ICCB recognize the need to increase the ratio of full-time to part-time staff at the program level, consistent with any local collective bargaining agreements that apply, so as to strive to meet federal recommendations concerning staff ratios?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Does the ICCB intend to continue to use the existing definitions of regionally based indexes of need and claimable hours and, if the need arises, to review these definitions in consultation with the adult ed advisory council for the benefit of adult ed students and eligible providers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

And will the ICCB strive to maximize State appropriations for adult ed and especially to maximize State funding which will leverage as much additional federal adult education money as possible?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

And is the transfer of the administration of adult ed and literacy to the ICCB intended to enhance adult ed and literacy and not to disrupt the system or diminish the number or diversity of providers, and will funding continue to be based on the factors outlined in House Bill 4266, including base funding for program stability and performance funding based on learner and program

outcomes?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

...expand -- will the ICCB expand the required adult education annual report to include such things as funding distribution by agency and entity, performance standards and outcomes, and ICPMS data to serve as a reporting mechanism for the governing agency to the General Assembly and to the Governor as a vehicle for accountability and recommendations for funding and other program needs?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

And will the ICCB involve the Illinois Adult and Continuing



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Educators Association, all eligible adult education and literacy providers, and affected labor organizations in the discussions of pertinent issues affecting adult ed and literacy programs through the development of an advisory council as provided for in House Bill 4266?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

It's a -- now that I've got him saying yes. Should a professional State development service center network -- since a professional development service network is a important resource for the adult education and literacy system, will the network continue to be supported through a competitive process, at appropriate funding levels, in compliance with accepted procurement processes, and sufficient to enhance the quality and -- quantity and quality of services now available?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

...administrative rules and regulations related to House Bill 4266 be established through the Joint Commission on Administrative Rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

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SENATOR CRONIN:

Yes. And that concludes the legislative intent. I wanted to add one remark at the conclusion of Vince's questions, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

And will the Senator be prepared to buy lunch for the entire Members of the Senate as soon -- upon adjournment?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Judy Myers.

SENATOR MYERS:

Thank you, Madam President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Myers.

SENATOR MYERS:

Thank you so much. I do have a unique situation in Mattoon, Illinois, where there is a very fine community-based adult ed center and a -- a community college - Lakeland. I have Eastern here, who are doing a wonderful job. I just wanted you -- and I know I've been listening to the testimony. I appreciate very much that you have been working hard. There is an agreement with groups like this that they will be taken care of in this new agreement, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Absolutely. All the parties have been very diligent. I have to commend Joe Cipfl and others who were -- you know, worked round the clock. They literally met with, discussed, and entertained questions and issues from all the different groups related to adult ed, and they all filed slips and they all agreed that this

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is the way they want to go. Obviously, there's a little concern about it based on the question and answer for legislative intent,

but we're all hopeful and confident that this is the way to go. Ed Duffy is a marvelous administrator and we think that adult ed is going to be the greatest ever with this transfer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? If there further discussion? Senator Cronin, to close.

SENATOR CRONIN:

Ask for your favorable consideration. Thank you very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is then, shall House Bill 4266 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. House Bill 4266, having received the required constitutional majority, is declared passed. For all practical -- Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Thank -- thank you, Madam President, Ladies and Gentlemen of the Senate. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point, or your announcement.

SENATOR RAUSCHENBERGER:

I would just like to remind the hardworking Members of the Appropriation Committee we have a hearing on Monday at 11:30. Other Members who are not doing anything on Monday are invited to attend. Lunch, in the -- in the vault room, I hope will be an Italian fiesta. So appreciate everybody driving down carefully Monday morning. Look forward to seeing you.

PRESIDING OFFICER: (SENATOR DONAHUE)

For all -- Senator Karpel, for what purpose do you rise?

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SENATOR KARPIEL:

As usual, I'm rising to announce a Republican Caucus immediately in Senator Philip's Office. It shouldn't be too long. We'll let you get on your way, but please attend the caucus immediately.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Republican Caucus. And for the Members -- other Members, for all -- we have finished our business for the day. We will remain open a little bit to finish off just some housekeeping things, but we will be adjourning until noon on Tuesday, March 28th. Noon on Tuesday. Safe trip home. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Executive - House Bills 2648, 2991, 3051, 3490, 3557, 4118 and 4404; and to the Committee on Judiciary - House Bill 2979.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. And with leave of the Body, all those that are read in today will be added to the Calendar. So, Mr. Secretary, have there been any objections filed?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The resolutions are adopted. Senator -- Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 65, offered by Senator Weaver.

(Secretary reads SJR No. 65)

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 65. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Now Senator Weaver moves the adoption of Senate Joint Resolution 65. Those in favor, say

Aye. Opposed, Nay. The Ayes have it. And the resolution is adopted. Is there further business to come before the Senate? Any further business? If not, pursuant to the adjournment resolution, Senator Weaver moves that the Senate stand adjourned until the hour of noon on Tuesday, May {sic} 28th. Senate is adjourned.